

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 7, 17, 29, 33, 43, and 65 are currently being amended.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate status identifier.

Upon entry of the foregoing amendments, claims 2-7, 9-13, 15-22, 29-30, 32-34, 37-40, 43, 45-49, and 60-69 will be pending in this application.

Claim Rejections – 35 U.S.C. § 103

On page 2 of the Office Action, claims 2-7, 9-10, 12-13, 15-19, 21-22, 29-30, 32-34, 37-38, 40, 43, 45-47, 49 and 60-69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2002/0071416 (Carlson). On page 23 of the Office Action, the Examiner rejected claims 11, 20, 39 and 48 under 35 U.S.C. 103(a) as being unpatentable over Carlson in view of U.S. Patent No. 7,444,669 (Bahl).

Independent claim 7 has been amended and recites a combination including,

receiving a data signal wirelessly from a fixed access point at the network access node, the fixed access point being provided by an Internet service provider that provides access to the Internet via the fixed access point, and the network access node being a portable, handheld device having a display;

forwarding the data signal wirelessly from the network access node to a network user node;

providing account crediting information to an accounting system, wherein the account crediting information represents a credit to be

recorded for an account associated with the network access node;
and

providing second account crediting information to the accounting system, wherein the second account crediting information represents a second credit to be recorded to an account associated with [[an]] the Internet service provider.

Claim 7 has been amended to clarify certain features recited therein. A network access node wirelessly receives a signal from a fixed access point, and wirelessly forwards the signal to a network user node. As amended, claim 7 further provides for recording two credits. One credit is recorded for “an account associated with the network access node,” and a second credit is recorded for an account associated with “an Internet service provider that provides access to the Internet via the fixed access point.” As discussed in Applicants’ previous response, the cited references fail to teach or suggest recording a second credit for an account associated with an Internet service provider that provides access to the Internet via a fixed access point.

In rejecting claim 7, the Examiner relied on Carlson for a teaching of recording a second credit as in claim 7. However, Carlson does not disclose, teach, or suggest this feature. Carlson is directed to a system and method for providing a first wireless device access to a wide area network via a second wireless device, where the second wireless device may charge the first wireless device for providing such access. Carlson, ¶ 0026. In Carlson, the second wireless device is also referred to as a “connection provider” or “service provider.” Carlson, ¶¶ 0033, 0043. Further, the billing and payment negotiations in Carlson all appear to be limited to negotiations between the first wireless device and second wireless device. With respect to the Examiner’s statements in the Office Action regarding Carlson’s disclosure of an “Internet Service Provider,” it appears that the Examiner is interpreting the “service provider” of Carlson as a separate Internet service provider from the second wireless device of Carlson. However, as noted above, the phrases “service provider” and “second wireless device” represent the same device (i.e., the second wireless device) in Carlson. Carlson does not disclose, teach, or suggest “providing second account crediting information to the accounting system, wherein the second account crediting information represents *a second credit to be recorded to an account associated*

with the Internet service provider [that provides access to the Internet via a fixed access point],” as provided by claim 7. The second wireless device of Carlson, although referred to as a “service provider,” is not an Internet service provider, as recited in claim 7.

To the extent that Carlson discloses an Internet service provider that provides access to the Internet via a fixed access point, Carlson does not disclose, teach, or suggest recording any credits to an account associated with such a provider. Rather, as stated above, the billing and payment negotiations in Carlson all appear to be limited to negotiations between the first wireless device (e.g., device 114) and second wireless device (e.g., device 124). Furthermore, to the extent the Examiner interprets the “fixed access point” to include the second wireless device wired to wide area network 143 / the Internet (e.g., a fixed access point), Applicants submit that the second wireless device would then not wirelessly receive and forward data signals, as provided by claim 7.

Applicants submit that the rejection of claim 7 under 35 U.S.C. § 103(a) is improper, and that independent claim 7 is patentable over Carlson. Independent claims 17, 29, 33, 43, and 65 are believed to be patentable for similar reasons.

Withdrawal of the rejection of independent claims 7, 17, 29, 33, 43, and 65, and the claims depending therefrom, is respectfully requested.

* * *

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to

Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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